

STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
Monday March 20, 2017 at 10:00 a.m.
Indiana Government Center-South, Room W064
402 West Washington Street
Indianapolis, Indiana

COMMITTEE MEETINGS

10:00 a.m.

CALL TO ORDER & ESTABLISHMENT OF QUORUM

D. Weisheit called the meeting to order at 1:00 p.m. and established a quorum pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting

Board Members Present:

Diane Weisheit, President
Diana Bonn
Victoria Ross
Gregory Kenny

Board Members Absent:

Rebecca Bushong
Gary Odell

State Officials Present:

Tracy Hicks, Board Director, Indiana Professional Licensing Agency
Jennifer Broadbent, Assistant Director, Indiana Professional Licensing Agency
Aaron Kochar, Board Advisory Counsel, Office of the Attorney General

ADOPTION OF THE AGENDA

The agenda was adopted.

D. Bonn/V. Ross
4/0/0
Motion carried.

ADOPTION OF THE MINUTES OF THE JANUARY 9, 2017 MEETING OF THE STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS

A motion was made and seconded to approve the minutes of the January 9, 2017 meeting.

D. Bonn/V. Ross
4/0/0
Motion carried.

OFFICE OF THE ATTORNEY GENERAL CONSUMER PROTECTION DIVISION REPORT

Written report provided.

ADMINISTRATIVE HEARINGS

1. Administrative Show Cause Hearing in the Matter of Chauncy Bailey a/k/a Chauncy Markey, 2016 SBCBE 0144

A motion was made and seconded to hold Respondent in Default.

D. Bonn/V. Ross
4/0/0
Motion carried.

A motion was made and seconded to issue an Order to Cease and Desist the practice of Beauty Culture.

V. Ross/D. Bonn
4/0/0
Motion carried.

2. Administrative Summary Suspension Hearing in the Matter of Kaydean Geist, ES29300618 & MC01533553, 2017 SBCBE 0025

A motion was made and seconded to suspend the esthetician license, cosmetology license, and beauty culture instructor license for ninety days.

V. Ross/G. Kenny
4/0/0
Motion carried.

3. Administrative Hearing in the Matter of Karla Jackson, BC21100463 and Shi Critiques Full Service Salon, BS91300681, 2016 SBCBE 0143

A motion was made and seconded to hold Respondent in Default.

D. Bonn/V. Ross
4/0/0
Motion carried.

A motion was made and seconded to place Karla Jackson's license on indefinite probation with no right to petition for removal for a period of one year, impose a fine of \$2000.00, impose costs of the proceeding, and impose the \$5.00 fee to the health records and personal identifying information protection trust fund.

A motion was made and seconded to place Shi Critiques Full Service Salon's license on indefinite probation with no right to petition for removal for a period of one year, impose a fine of \$4000.00, impose costs of the proceeding, and impose the \$5.00 fee to the health records and personal identifying information protection trust fund.

D. Bonn/V. Ross
4/0/0
Motion carried.

4. Administrative Hearing in the Matter of Zhijian Guo, BC21400441, 2016 SBCBE 0145

A motion was made and seconded to hold Respondent in Default.

D. Bonn/V. Ross
4/0/0
Motion carried.

A motion was made and seconded to rescind the license and prevent the Respondent from reapplying for a period of seven years.

D. Bonn/V. Ross
4/0/0
Motion carried.

5. Administrative Hearing in the Matter of Van Bao Lao, BC21400556, MA20401370, 2016 SBCBE 0149

A motion was made and seconded to rescind the cosmetologist license and prevent the Respondent from reapplying for a period of seven years, impose a fine of \$1000 to be paid within six months, impose costs of the proceeding, and impose the \$5.00 fee to the health records and personal identifying information protection trust fund. The manicurist license is placed on indefinite probation with no right to petition for removal for a period of one year.

D. Bonn/V. Ross
4/0/0
Motion carried.

6. Administrative Hearing in the Matter of Kim Anh Tong a/k/a Anh Kim Tong, BC21400480, 2016 SBCBE 0150

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/V. Ross
4/0/0
Motion carried.

A motion was made and seconded to rescind the license and prevent the Respondent from reapplying for a period of seven years.

D. Bonn/V. Ross
4/0/0
Motion carried.

7. Administrative Hearing in the Matter of Diep Hong Vu, BC21400262, 2016 SBCBE 0151

A motion was made and seconded to hold Respondent in Default.

D. Bonn/V. Ross
4/0/0
Motion carried.

A motion was made and seconded to rescind the license and prevent the Respondent from reapplying for a period of seven years.

D. Bonn/V. Ross
4/0/0
Motion carried.

8. Administrative Hearing in the Matter of Ngan Thi Thu Le, BC21400418, 2016 SBCBE 0152

A motion was made and seconded to hold Respondent in Default.

D. Bonn/V. Ross
4/0/0
Motion carried.

A motion was made and seconded to rescind the license and prevent the Respondent from reapplying for a period of seven years.

D. Bonn/V. Ross
4/0/0

Motion carried.

9. Administrative Hearing in the Matter of Huong Ngoc Thein Nguyen, BC21400525, 2016 SBCBE 0154

A motion was made and seconded to hold Respondent in Default.

D. Bonn/V. Ross
4/0/0
Motion carried.

A motion was made and seconded to rescind the license and prevent the Respondent from reapplying for a period of seven years.

D. Bonn/V. Ross
4/0/0
Motion carried.

10. Administrative Hearing in the Matter of Kim Dung Thi Phan, BC21400067, 2016 SBCBE 0155

A motion was made and seconded to hold Respondent in Default.

D. Bonn/V. Ross
4/0/0
Motion carried.

A motion was made and seconded to rescind the license and prevent the Respondent from reapplying for a period of seven years.

D. Bonn/V. Ross
4/0/0
Motion carried.

11. Administrative Hearing in the Matter of Pro Nails, MS30600816, SBCBE15-44

A motion was made and seconded to remove probationary status.

D. Bonn/V. Ross
4/0/0
Motion carried.

12. Administrative Hearing in the Matter of LaShonda Upchurch, BC29500916, SBCBE 07-41

A motion was made and seconded to remove probationary status.

V. Ross/G. Kenny
4/0/0
Motion carried.

13. Administrative Hearing in the Matter of Kokomo Nails, MS30500555, SBCBE 11-111

A motion was made and seconded to remove probationary status.

V. Ross/ D. Bonn
4/0/0
Motion carried.

14. Administrative Hearing in the Matter of Patricia M. Matly, BC09201611, SBCBE 16-44

A motion was made and seconded to issue a Notice of Proposed Dismissal.

4/0/0
Motion carried.

15. Administrative Hearing in the Matter of Coco Nails, BS91600623, SBCBE 16-100

A motion was made and seconded to remove probationary status.

V. Ross/ D. Bonn
4/0/0
Motion carried.

16. Administrative Hearing in the Matter of Danielle St. Clair, BC20400019, 2016 SBCBE 0137

A motion was made and seconded to remove probationary status.

D. Bonn/ V. Ross
4/0/0
Motion carried.

CONSIDERATION OF VOLUNTARY SUMMARY SUSPENSION AGREEMENT

1. Rodney L. Boyd, BA88000058, 2016SBCBE0110

A motion was made and seconded to extend the summary suspension until the conclusion of the Respondent's criminal matter.

D. Bonn/ V. Ross
4/0/0
Motion carried.

CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

1. Estetica Tony, BS31100433, SBCBE 14-103

A motion was made and seconded to accept the Proposed Findings of Fact, Conclusions of Law, and Order

G. Kenny/V. Ross
4/0/0
Motion carried.

2. Spa Nail Salon, BS91400302, SBCBE 16-47

A motion was made and seconded to accept the Proposed Findings of Fact, Conclusions of Law, and Order

V. Ross/G. Kenny
4/0/0
Motion carried.

3. Dawn Temple Mills, BA08701105 and Temple's Barber & Style, BS29400054, 2016 SBCBE 0114

A motion was made and seconded to accept the Proposed Findings of Fact, Conclusions of Law, and Order

V. Ross/G. Kenny
4/0/0
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL

1. Chosen Christian Beauty Colleges, SC41200010

A motion was made and seconded to deny the application for renewal.

V. Ross/D. Bonn
4/0/0
Motion carried.

2. Ideal Beauty Academy, Inc., SC10100002

A motion was made and seconded to approve the application for renewal.

D. Bonn/ V. Ross
4/0/0
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE REINSTATEMENT

1. Cynthia Bishir, BC02326628

A motion was made and seconded to approve the application.

D. Bonn/V. Ross
4/0/0
Motion carried.

2. Henry Cole, BA10300030

A motion was made and seconded to approve the application on indefinite probation and may not petition for removal of probation until released from the criminal obligation.

D. Bonn/V. Ross
4/0/0
Motion carried.

3. Wendy Ellis, BC20201635

A motion was made and seconded to approve the application on indefinite probation and may not petition for removal of probation until released from the criminal obligation.

D. Bonn/V. Ross
4/0/0
Motion carried.

4. Gloria Haynes, MA20001495

A motion was made and seconded to approve the application.

D. Bonn/V. Ross
4/0/0
Motion carried.

5. Henry Hill, BA19700034 & BI11200049

A motion was made and seconded to approve the application.

D. Bonn/V. Ross
4/0/0
Motion carried.

6. Christopher Pendleton, BC21100656

A motion was made and seconded to approve the application.

D. Bonn/V. Ross
4/0/0
Motion carried.

7. Alysia Phillips, BC20100084

A motion was made and seconded to approve the application.

D. Bonn/V. Ross
4/0/0
Motion carried.

8. Morgan Stonebraker, BC21202038

A motion was made and seconded to approve the application.

V. Ross/G. Kenny
4/0/0
Motion carried.

9. Christina Perkins, BC20200504

A motion was made and seconded to approve the application on indefinite probation after passing the state examination and may not petition for removal of probation until released from the criminal obligation. She has 6 months to pass the examination.

D. Bonn/V. Ross
4/0/0
Motion carried.

10. Paige Winslow-Bultinck, BC09201631

A motion was made and seconded to approve the application on indefinite probation and may not petition for removal of probation until released from the criminal obligation.

D. Bonn/V. Ross
4/0/0
Motion carried.

CONSIDERATION OF NOTICE OF PROPOSED DISMISSAL ORDERS

1. Sierra Tallafarro, BC21300273, BC21300273, SBCBE 13-25

A motion was made and seconded to issue a Dismissal Order.

D. Bonn/V. Ross
4/0/0

Motion carried.

2. Maureen Mosher, ES21600104, SBCBE 16-35

A motion was made and seconded to issue a Dismissal Order.

D. Bonn/V. Ross
4/0/0
Motion carried.

3. Yen T. Ho, 2016 SBCBE 190

A motion was made and seconded to issue a Dismissal Order.

D. Bonn/V. Ross
4/0/0
Motion carried.

4. Lanh T. Duong, 2016 SBCBE 191

A motion was made and seconded to issue a Dismissal Order.

D. Bonn/V. Ross
4/0/0
Motion carried.

5. Jose R. Medina, 2016 SBCBE 192

A motion was made and seconded to issue a Dismissal Order.

D. Bonn/V. Ross
4/0/0
Motion carried.

CONSIDERATION OF NOTICE OF PROPOSED DISMISSAL ORDERS

1. Designer's Den, TB59500460, 17 SBCBE 0023

A motion was made and seconded to issue a Notice of Proposed Dismissal Order for failure to appear at the March 20, 2017 settlement conference.

D. Bonn/V. Ross
4/0/0
Motion carried.

DISCUSSION OF EYELASH APPLICATIONS

The Consumer Protection Division of the Office of the Attorney General requested an opinion from the board as to whether a beauty culture license is required to apply eyelashes. Since the board may not interpret statutes and rules, Deputy Attorney General Aaron Kochar will review the matter.

CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S ORDERS

1. Sarai Martinez, 2016 SBCBE 0111

A motion was made and seconded to affirm the Administrative Law Judge's Order.

B. Donn/V. Ross
4/0/0

Motion carried.

2. Thuy Dung T. Hong, 2016 SBCBE 0112

A motion was made and seconded to affirm the Administrative Law Judge's Order.

B. Donn/V. Ross
4/0/0
Motion carried.

3. Chau Nguyen, 2016 SBCBE 0141

A motion was made and seconded to affirm the Administrative Law Judge's Order.

B. Donn/V. Ross
4/0/0
Motion carried.

4. Thi Minh Trinh Nguyen, 2016 SBCBE 0193

A motion was made and seconded to affirm the Administrative Law Judge's Order.

B. Donn/V. Ross
4/0/0
Motion carried.

5. Bobbi Jean Lacey, 2016 SBCBE 0188

A motion was made and seconded to affirm the Administrative Law Judge's Order.

B. Donn/V. Ross
4/0/0
Motion carried.

CONSIDERATION OF APPLICATIONS FOR WAIVER OF THREE YEAR DEADLINE TO PASS THE EXAMINATION AFTER GRADUATION

1. Artavious Hull

A motion was made and seconded to approve the request and allow six months to pass the examination.

B. Donn/V. Ross
4/0/0
Motion carried.

2. Brenda Ullis

A motion was made and seconded to deny the application due to the fact that she graduated in 1999.

B. Donn/V. Ross
4/0/0
Motion carried.

3. Brenda Ramirez Castillo

A motion was made and seconded to approve the application and allow her six months to pass the exam.

B. Donn/V. Ross
4/0/0
Motion carried.

CORRESPONDENCE FROM LIL LOU'S BEAUTY AND BARBER COLLEGE LLC

A motion was made and seconded to approve the substance of the agreement.

B. Donn/V. Ross
4/0/0
Motion carried.

APPOINTMENT OF RULES COMMITTEE TO CONSIDER RULE AMENDMENTS FOR 2016 LEGISLATION REGARDING IC 25-8-5-4(2) AND IC 25-8-5-4.6

A motion was made and seconded to appoint G. Kenny and V. Ross on a preliminary committee to present ideas to the board.

B. Donn/V. Ross
4/0/0
Motion carried.

APPLICATION COMMITTEE REPORT

A motion was made and seconded to accept the application committee report as follows.

B. Donn/V. Ross
4/0/0
Motion carried.

COSMETOLOGY

A. By Examination

Bracken, Alaina Danae: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Burchfield, Abbigail: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Downen, Rebecca: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Hartman, Haley Nicole: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Leisure, Kevin: APPROVED.

Mims, Ashley: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Wehinger, Kirsten: APPROVED.

B. Reciprocity

Hopkins, Michelle Lee: Denied, IC 25-8-4-2(a)(1), no valid license.

Le, Suong T.: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Nguyen, Thuc Thi: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Nguyen, Ha Thi Thanh: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Ray, LaDonna: Denied, IC 25-8-4-2(a)(2), not substantially equal.

C. Provisional

Bisan, Vilian: Denied, IC 25-8-4-2.9, insufficient training or experience.

Mata Posada, Sandra M.: TABLED, pending transcript with breakdown of hours.
Mora, Ema Gonzalez: Denied, IC 25-8-4-2.9, insufficient training or experience.
Nguyen, Hien T.: Denied, IC 25-8-4-2.9, insufficient training or experience.

ELECTROLIGST

A. By Examination

Allman, Anna: APPROVED.

MANICURIST

A. By Examination

Carter, Allison U.: APPROVED.

Do, Bich: Denied, IC 25-1-11-5(b), possible fraudulent documentation.

B. By Reciprocity

Do, Lam Thanh: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Huynh, Vinh Thanh: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Nguyen, Loi Thi: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Nguyen, Thao: Denied, IC 25-8-4-2(a)(1), no valid license.

Pham, Cuc Thi: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Tran, Tuan Minh: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Tran, Van Thuong: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Trinh, Phuong Duong Thu: Denied, IC 25-8-4-2(a)(2), not substantially equal.

BARBER

A. By Examination

Barnett, Jordan Aaron: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Des Jardins, Charles John: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Dinkins, Isaiah M.: APPROVED.

Parker, Antonio: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Singleton, Christopher: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Walker, Jeffrey: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

B. By Reciprocity

Campos, Miguel Angel: TABLED, pending current status on criminal charges.

Watkins, Stephon: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

C. Provisional

Fernandez, Dorian: Denied, IC 25-8-12.1-13 and IC 25-1-11-19(b), insufficient training or experience and unlicensed practice.

Keshani, Naeim: Denied, IC 25-8-12.1-13, insufficient training or experience.

O'Brien, Robert: APPROVED

Puella Hungria, Juan G.: Denied, IC 25-8-12.1-13, insufficient training or experience.

BEAUTY CULTURE INSTRUCTOR

A. By Reciprocity

Hubbard, Kristiane Marie: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Parker, Stephany: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Stepp, Gabrielle: Denied, IC 25-8-4-2(a)(2), not substantially equal.

Zaleski, Julie: Denied, IC 25-8-4-2(a)(2), not substantially equal.

FACILITY APPLICATIONS

A. Beauty Culture Salon

A1 Nail, 708 East Coliseum Boulevard, Fort Wayne, IN 46805: Denied, failed inspection.

Angie Nails: Owner – Angela Hutchison: APPROVED.
dPatrick Salon, 325 Hoosier Avenue, Oolitic, IN 47451: Denied, failed inspection.
Family Tied Barbershop: Owner – Harry Waddell: APPROVED.
Shannon’s Hair & Nail Design: Owner – Shannon Smith: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
Sophistique Hair Studio: Owner – Michelly Gomes: APPROVED.
Spa and Nails, 8411 Windfall Lane, Suite 140, Indianapolis, IN 46268: Denied, failed inspection.

B. Beauty Culture School

Loricee’s Beauty and Barber Academy: 155 East 61st Avenue, Merrillville, IN 46410:
Approved on PROBATION with no right to petition for a period of one year and a passed inspection.

ADJOURNMENT

A motion was made and seconded to adjourn at 6:15 pm.

D. Bonn/ V. Ross
4/0/0
Motion carried.